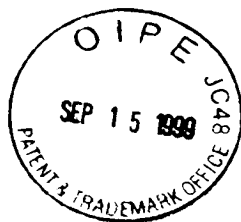


DOCKET NO.: ISIS-3561



PATENT,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Clarence F. Bennett, et al.

Serial No.: 09/315,292

Group Art Unit: 1635

Filing Date: May 20, 1999

Examiner: Not yet assigned.

For: Compositions and Methods for the Pulmonary Delivery of Nucleic Acids

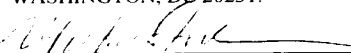
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TYPED NAME: Michael P. Straher  
REGISTRATION NO.: 38,325

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:

☐ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of \$240.00 as set forth in §1.17(p) is attached.

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- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

☐ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of \$240.00 as set forth in §1.17(p) is attached.

- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

☒ Copies of references **CM and DE** listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith

EXCEPT THAT:

☒ In view of the voluminous nature of references **AA** and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

Pursuant to 37 C.F.R. 1.98(a)(2)(iii), no copy of a U.S. patent application need be included with an Information Disclosure Statement filed under 37 C.F.R. 1.97.

☒ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

☒ Copies of references **AB through CL, CN through DD and DF through LE** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. **09/083,586** filed **May 21, 1998**.

☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

An English language abstract has previously been provided for reference **CE**.

Date: September 13, 1999

Michael P. Straher  
Registration No. **38,325**

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